



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

*Street address:* 1111 East Main Street, Richmond, Virginia 23219

*Mailing address:* P.O. Box 1105, Richmond, Virginia 23218

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Matthew J. Strickler  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4000  
1-800-592-5482

August 28, 2018

Ken Niemann  
Sr. Development Consultant  
New Energy Ventures, Inc.  
c/o Caden Energy  
611 NW 72<sup>nd</sup> Street  
Miami, Florida 33150

**RE: Pamplin Solar, LLC**

Location: Appomattox County

Registration No.: 2018-S08

Dear Mr. Niemann:

The Department of Environmental Quality (DEQ), after consultation with the Department of Historic Resources (DHR), the Department of Game and Inland Fisheries (DGIF), and the Department of Conservation and Recreation (DCR), has completed its review of the June 15, 2018, application by New Energy Ventures, Inc. (NEV) for Pamplin Solar, LLC (Pamplin) for coverage under the Small Renewable Energy Project (Solar) Permit by Rule, 9VAC15 Chapter 60. We have also reviewed the information submitted August 27, 2018 (Supplemental Information). Based upon this review, DEQ determines that the application, including the Supplemental Information, satisfies the requirements of 9VAC15-60-30 provided that New Energy Ventures complies with the following:

- All commitments referenced within the Application Documents and Supplemental Information documents;
- Submission of signed Final Interconnection Agreement;
- Submission as soon as practicable of final post-construction site map according to 9VAC15-60-70 A, and;

- Removal of all trees in accordance with the requirements of DGIF and the United States Fish and Wildlife Service (USFWS) to protect indigenous bat species as set forth in the DGIF guidelines and guidance found at:
  - <https://www.dgif.virginia.gov/environmental-programs/environmental-services-section/>
  - <https://www.dgif.virginia.gov/wildlife/bats/northern-long-eared-bat-application/>
  - <http://www.dgif.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/>
  - <http://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>

Based upon compliance with the conditions stated above, authority is hereby granted to NEV to construct and operate Pamplin; a photovoltaic project in Appomattox County, located on property located off Highway 460 between Morning Star Road and Cavalier Lane, Tax Map Identification Number 78 (A) 17, approximately 4 miles southwest of Appomattox, on roughly 112 acres; with a cumulative total generating capacity of 15.7 MW AC, in accordance with all Application Documents, Supplemental Information and this letter of approval.

This authorization for construction and operation shall not relieve NEV of the responsibility to comply with all other applicable local, state and federal statutes and regulations, including but not limited to strict adherence to applicable state and local erosion and sediment control/storm water management laws.

In addition, DEQ strongly encourages NEV to incorporate the DCR Recommended Actions listed below:

- Use of appropriate seed mix/plants and seasonal mowing developed in consultation with DCR;
- Development of a monitoring and control plan for invasive species;
- The planting of native pollinator plants in the buffer areas of the planned facility, and;
- Minimizing habitat fragmentation by leaving round versus long, skinny natural cover and forest land fragments; retaining connective corridors that allow significant wildlife migration between fragments and designing the intervening landscape to benefit habitat; natural cover as opposed to turf grass and mowed lawn.

NEV must notify Mary E. Major, DEQ Office of Renewable Energy Permitting, of the actual date on which construction of the solar project commences and the date of operation as soon as practicable. A notification to DEQ must be made 30 days prior to any transfer of ownership or operation according to the provisions of 9VAC15-60-100 A.

Please note that if NEV is later found by the DEQ not to qualify for coverage under the terms and conditions of the Solar Permit By Rule, then NEV could be subject to action under the enforcement provisions of the Solar Permit By Rule (9VAC15-60-140) for operation without a permit.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of the service of this decision to initiate an appeal of this decision, by filing notice with:

David K. Paylor, Director  
Virginia Department of Environmental Quality  
ATTN: Office of Renewable Energy Permitting  
Post Office Box 1105  
Richmond, Virginia 23218

In the event this decision is served to you by mail, three days will be added to that period. Please refer to Part Two of the Rules of the Supreme Court of Virginia, which describes the required content of the Notice of Appeal, including specification of the Circuit Court to which the appeal is taken, and additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this authorization under the Small Renewable Energy Project Permit By Rule, please contact Mary E. Major at 804-698-4423.

Sincerely,



Michael G. Dowd  
Director, Air and Renewable Energy Division